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ABSTRACT

Titles VI and IX require coeducational physical education classes and equity in athletic offerings and coaches' salaries, and prohibit sex discrimination in public schools. In New Jersey, compliance with the law is in the best educational interest of both male and female students. Educators leading intramural and interscholastic athletics programs who are attempting to enforce affirmative action should adopt guidelines for compliance. Organizational patterns for equity in interscholastic athletics include options such as these: (1) integration of the entire program so that all teams are open to both sexes; (2) separate but equal teams coordinated through a joint scoring and scheduling system; and (3) a combined approach, in which both separate and mixed sex teams exist equally in each season. On the other hand, intramural and club activities should be entirely coeducational. For equal physical education programs, coaches of either sex who are qualified should be found and hired for male, female, or co-ed teams. Further, coaching salaries should be reviewed to see if a pattern of discrimination is evident. Good public relations and publicity should be attained and used equitably to promote interest and provide rewards to both male and female athletes. (Author/KR)

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EQUITY IN SCHOOL ATHLETICS: A GUIDE

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INTRODUCTION

In this discussion the term athletics refers to competitive games and sports that require physical skill, agility, strength, and stamina of the participants (individual or teams) who compete in accordance with accepted rules of play. This definition has been adopted directly from ***Athletics in Education: A Platform Statement***, developed by the Division of Men's Athletics of the American Association for Health, Physical Education and Recreation (AAHPER).[1] Using this definition, athletics can be viewed as having a place within:

1. The basic ***physical education*** program for all students in which regular instruction and practice are provided in a variety of physical activities (including athletics), suited to the nature and needs of the students and ensuring the development of an adequate level of physical fitness.
2. The physical ***recreation*** program in which opportunities are provided for all students to participate informally in a variety of physical activities (including athletics).
3. The ***intramural*** program in which opportunities are provided for all students, based on interest and participation levels, to use their knowledge and skills acquired in the basic physical education program in organized competition with their schoolmates.
4. The ***interscholastic*** athletics program in which opportunities are provided in secondary and middle schools for students with better athletic ability to develop and fully utilize their talents through organized competition with students of similar ability from other schools.

This discussion will only consider the intramural and interscholastic athletics programs. Keep in mind, however, the inter-relationship between the physical education program and the intramural and interscholastic programs.

PART I
EDUCATIONAL AND LEGAL CONSIDERATIONS

Educational Value of Athletics

It has been suggested that athletics, when utilized properly, "serve as potential educational media through which the optimum growth — physical, mental, emotional, social, and moral — of the participants may be fostered."[2] Besides the more obvious benefits of increased physical fitness and vitality, the athletic participant develops skill in movement which allows for more efficient accomplishment of the physical requirements of work and everyday living. Participants should be able to respond with more ease and quickness to situations that demand unusual strength, endurance, or coordination.

Some educators believe the challenges of competition in athletics provide youth with socially acceptable channels to express aggressive tendencies and use up excess energies. Athletics provide opportunities to learn to work cooperatively as a group member striving for a common goal. Learning the dynamics of teamwork has obvious value outside of athletics. The ability to work with a team is considered crucial by personnel experts to the productivity and optimal functioning of workers in job situations.

Athletics in Education: A Platform Statement suggests that "in athletics, the boy may learn to tolerate the weaknesses and shortcomings of others and to understand that all men have common desires and aspirations."[3] Prejudices toward others may "melt away," as the participant comes to judge his teammates by their behavior and contribution to the team, "and to disregard economic, racial, or religious differences." We must recognize the fact that "sex" belongs prominently on this list of prejudices.[4]

A positive goal of athletics is encouraging the participant to be a "good sport." Boys learn how to win and lose with one another, but they do not learn how to win or lose with girls. If males were conditioned by school and society to compete with all qualified people, not just those of the same sex, it might not be so painful to some men to find themselves bested by women in their search for jobs and/or admissions to academic institutions. Since legal, social, and economic requirements will inevitably subject males to competition from all qualified persons, including females, schools perform a disservice in protecting and insulating them from reality.

Attitude Toward the Female Athlete

In *Changing Women in a Changing Society*, Joan Huber concluded the introduction with this statement: "The ideology of equal opportunity is ill served when half our citizens are either kept on the sidelines or are allowed to play only part of the time." It is not surprising that a sociologist chose a sport metaphor to symbolize the social situation of women. As Jan Felshin, a noted advocate of women's equality in sports, suggested after referring to this statement, "the social construct of woman has restricted the opportunities, aspirations, expectations, and social behavior sanctioned for women, and this has been seriously applied in the masculinized social conception of sport."[5]

Some of the ways in which women are limited by this "masculinized conception of sport" are delineated by Margaret Dunkle in ***What Constitutes Equality for Women In Sport?***, a document prepared by the Project on the Status and Education of Women.[6] In a discussion on attitudes toward women in sport, the author notes that athletics reflect cultural norms and "have tended to perpetuate sex stereotypes and myths about what is 'right' for men and what is 'right' for women." Males are perceived as physically and emotionally strong, while females are perceived as weak and passive. It is further suggested that "traits associated with athletic excellence—achievement, self-confidence, aggressiveness, leadership, strength, swiftness—are often seen as being in contradiction with the role of women."[7]

Society's system of verbal reward and punishment works differently for both sexes. Language usage mirrors these limited views of women. A male athlete learns at an early age that there is no greater insult than to be called a feminine epithet (often obscene) when he makes a mistake in sports. The female who excels in sports will not be told that she "throws very well" but that she "throws like a boy."[8]

Differences Between the Sexes—Exploring Old Myths

If there are benefits and pleasures in competitive experiences in athletics, they should not be reserved only for males. Females, too, should be encouraged to participate and to reap the benefits. In the past, many arguments have been made about why females shouldn't—shouldn't be interested in sports, shouldn't play contact sports, shouldn't play after puberty, after high school, after marriage, during pregnancy, or after childbirth. Seldom are these arguments based upon properly documented scientific research.

Misconceptions abound regarding women's participation in athletics. Some of these myths are discussed

in "Revolution in Women's Sports," a special edition of *WomenSports* magazine and *What Constitutes Equality for Women in Sport?*, previously mentioned.[9] As the public becomes more familiar with the truth about the female athlete through documented research, there will be less worry about girls and women being injured through sports activities.

The following are some commonly heard falsehoods about women's participation in athletics:

Menstruation

The notion that girls should not or cannot participate in vigorous activity during the menstrual cycle has no basis in medical research. Training and competition have not shown any long-range gynecological implications. In fact, Olympic medals in track and swimming have been won by women while menstruating.[10]

Pregnancy and Reproduction

Although some people fear that athletics may damage a woman's reproductive organs, "many gynecologists believe that vigorous activity improves the muscular support in the pelvic area."[11] Stronger abdominal muscles make labor easier and shorter during childbirth. In *The American Woman in Sport*, Wyrick reports that, "pregnant women can perform quite adequately up to 36 weeks of pregnancy, providing they can cope with the handicaps of changes in balance and center of gravity."[12] The uterus is one of the most shock resistant internal organs and lies in a more protected place in the body than do the male genitalia.[13]

Breaking Bones

Contrary to some beliefs, female bones are not more fragile than male bones, although they are on the average smaller. Furthermore, a well-documented difference between male and female bones is found in the eight to twelve-year-old group, when the female skeleton is from 18 to 36 months more mature than the male.[14] It may be that the female in this age group is *less* susceptible to injury than the male.

Bruises and Breasts

While there is concern for breast injury during contact sports for women, the breasts are more readily protected by the arms and hands than are the male reproductive organs. Breast protectors should be developed and recommended for girls and women, in the same way that protective cups are recommended for boys and men.[15]

Bulging Muscles and Weight Training

Authorities now agree that even when engaged in the same weight training program as males, women will not develop bulging muscles, because such muscular hypertrophy is not a result of the training but of the level of androgen in the body. Since women lack high levels of this hormone, they do not risk such an unwanted consequence. In fact, weight training can be extremely valuable for women in developing strength, the weakest link in the physical profile of the female athlete.[16]

Lack of Interest

The assumption that girls are not really interested in sports has been undermined by recent evidence: participation in interscholastic sports rose by 175% from 1971 to 1974. While it is true that there are fewer women than men participating in amateur and professional sports, this may be a consequence of past discriminatory practices, lack of facilities, inferior equipment, minimal money for women's sports programs, or lack of family and societal support.[17]

Lack of Qualified Coaches

Until recently, women were not accepted in coaching courses in most of the nation's colleges. Many male coaches were hired on the basis of their high school and college varsity team experience. As teams open their membership to females and courses open their enrollment, this picture should change.

Even though research points more clearly to the fact that there are greater differences found *within* the sexes than *between* the sexes, old myths die hard. For more detailed research, refer to the work of Harris, Wilmore, Torg, Gerber, and others in the bibliography. For an excellent list of additional resources concerning equality of women in sport, see *What Constitutes Equality for Women in Sport?*

The Legal Mandates

Although many schools have recognized that the ethical, educational, social, physical, and psychological arguments for equality are valid, and have begun to re-evaluate their policies and practices, some institutions have been lagging behind, hoping that "women's lib" will eventually fade away.

The Constitutional Principle: A number of law suits have been instituted in recent years on the grounds that the Constitution requires equal opportunity for females in athletics programs—the right to equal participation. Most of these cases have been brought by the American Civil Liberties Union. The ACLU has put together a packet of information entitled "Sex Discrimination in Athletics and Physical Education," which contains solid information on legal precedents and Title IX. It is available from the American Civil Liberties Union, 22 East 40th Street, New York, New York 10016, (212) 725-1222.

Cases concerning women's right to participate involve two principles: right of equal participation and the right of equal access to public accomodations. Some examples are *McLaughton* v. *Board in Control of Eastern Michigan*, 1975, concerning the right to participate in wrestling; *Clinton* v. *Nagy*, 1974, an Ohio case involving football. In 1975 a decision which made illegal all discriminatory provisions of the Pennsylvania Interscholastic Athletic Association was handed down in the case of *Commonwealth of*

Pennsylvania v. *Pennsylvania Interscholastic Athletic Association*. This case fell under the terms of the state Equal Rights Amendment and would not apply to states without an ERA.

A partial list of those laws and enforcing agencies which could affect equality in women's sports was developed by Dr. Phyllis Zatlin Boring for the Women's Equity Action League:[18]

Title VII of the Civil Rights Act of 1964, extended in 1972 to cover teachers, is enforced by the Equal Employment Opportunity Commission. Although organizations may file class action complaints, EEOC will not investigate unless they have a notarized form from the individual who has actually suffered the discrimination described in the complaint.

The Equal Pay Act was amended in June, 1972, to include teachers. Teachers, coaches, or officials who feel they are not receiving equal pay for substantially equal work may contact the Wage and Hour Division of the U.S. Department of Labor. The Labor Department keeps complainants' names confidential and will conduct an overall salary review to protect the individual. Organizations may also make the complaint to afford further protection to the individual.

Title IX of the Education Amendments of 1972 and its implementing regulation prohibit discrimination on the basis of sex in the operation of federally assisted educational programs and activities, pre-school through graduate school (with a few exceptions, such as military academies). Title IX requires equality of opportunity for students, equal access to program and facilities, and equality of opportunity in employment. Sports programs in schools or colleges receiving federal funds are covered regardless of whether the sports programs themselves get federal money. The final guidelines were published in June, 1975, and became effective July 21, 1975.

Title IX is enforced by the U.S. Department of Health, Education and Welfare (HEW), Office for Civil Rights, through its regional offices. A memorandum "Elimination of Sex Discrimination in Athletic Programs," which was sent to Chief State School Officers and Superintendents of Local Educational Agencies in September, 1975, is available from OCR. It details the requirements of Title IX as they specifically affect athletics, and highlights major areas of concern: contact sports, scholarships, separate-but-equal teams, assessment of interests and abilities, and self-evaluation and adjustment periods.[19] School districts that fail to comply with Title IX stand to lose federal funds. Complaints can be filed by individuals or organizations, whether or not they are personally aggrieved, by writing to HEW.

State Legislation: New Jersey Model

The New Jersey Law Against Discrimination requires equality of opportunity in employment and non-discrimination in public accommodations. The New Jersey Court decision to require the Little League to admit girls was based on the premise that Little League was a public accommodation. The law is enforced by the New Jersey Divison on Civil Rights, 1100 Raymond Blvd., Newark, New Jersey 07102, (201) 648-2700. Branch offices are located in Camden, Paterson, and Trenton. As with Title IX, class action complaints may be filed.

N.J.A.C.6:4, The Regulation for Equality in Educational Programs, was adopted by the New Jersey State Board of Education in May, 1975. This regulation is pursuant to the authority of N.J.S.A. 18A: 36-20, which prohibits sex discrimination in educational programs and activities in New Jersey public schools, kindergarten through twelfth grade.

Title VI, as the New Jersey regulation is often called, requires that local school districts appoint affirmative action officers and submit written affirmative action plans with goals and timetables. Compliance toward the objectives of district affirmative action plans has been enforced since September 1976. Both Title VI and Title IX require co-educational physical education classes and equity in athletic offerings and coaches' salaries. The complete Title VI regulation has been reproduced in Appendix A.

Not only does Title VI require integration of all course offerings, including physical education classes; it states that the entire athletic program must be available on an equal basis to all students, with sufficient activities so that large numbers of students of either sex are not denied participation. Schools have the option of separate teams or a single co-ed team as long as "the program as a whole provides equal opportunities for students of both sexes to participate in sports at comparable levels of difficulty and competency." Because no distinction is made between contact and non-contact sports, schools may offer single sex or co-ed teams in any sport. Equitable treatment is required with regard to "staff salaries, purchase and maintenance of equipment, quality and availability of facilities, scheduling of practice and game time, length of season. . . ." Title VI requires curriculum review and an affirmative action program to equalize both curriculum and employment practices.

If a school fails to comply with Title VI or fails to implement its affirmative action plans after the Commissioner of Education approves them, federal and/or state financial assistance can be withheld. Enforcement efforts are coordinated through the Office of Equal Educational Opportunity, New Jersey State Department of Education. Questions regarding interpretations should be directed to Ms. Nida Thomas, Director, Office of Equal Educational Opportunity, 225 West State Street, Trenton, New Jersey 08625, (609) 292-5922.

NJAHPER Task Force

The New Jersey Association for Health, Physical Education and Recreation (NJAHPER), in cooperation with the Office of Equal Educational Opportunity, set up a Task Force on the Implementation of Titles VI and IX. Organized in 1975, the Task Force is comprised of more than thirty professional physical educators, coaches, teachers, and students. The Task Force has sent out mailings, consulted, and published

articles regarding sex discrimination and athletics.

The Task Force has developed the following recommendations:

1. The immediate involvement of physical educators, coaches, and athletic directors on equal opportunity committees and as affirmative action officers.
2. The use of professionally trained physical educators and coaches as consultants to local districts.
3. The immediate review of coaching salary guides and after-school contracts to insure equity.
4. The involvement of women on budget and policy making committees.
5. A careful review of league, conference, and N.J.S.I.A.A. regulations to insure that they are free of illegal or sexist policies or practices.

For further information regarding the Task Force, contact Sal Abitanta, President, NJAHPER, 1046 Cross Avenue, Elizabeth, New Jersey 07028.

The following is a list of New Jersey offices and agencies that deal with the legal mandates of equal opportunities for females in athletics programs: (These are in addition to the New Jersey Division on Civil Rights mentioned earlier):

1. American Civil Liberties Union, 45 Academy Street, Newark, New Jersey 07102.
2. Equal Employment Opportunity Commission, 9 Clinton Street, Newark, New Jersey 07102 (for women discriminated against in hiring or promotion practices). EEOC waits 60 days to allow the New Jersey Division on Civil Rights to act first on the complaint.
3. U.S. Department of Labor, Wage and Hour Division: offices located in Paterson, Newark, and Trenton to hear complaints on equal pay for equal work violations.
4. HEW, Region II, Office for Civil Rights, 26 Federal Plaza, New York, New York 10007, (212) 264-4633 (oversees New Jersey's compliance with Title IX).
5. Office of Equal Educational Opportunity, State Department of Education, 225 West State Street, Trenton, New Jersey 08625, (609) 292-5922 (responsible for monitoring compliance with Title VI).

A Summary of Legal Responsibility, Liability, and Propriety in New Jersey and the Nation

One of the major concerns of both men and women who supervise or participate in athletics is safety. It is feared that co-educational activities will endanger the female athlete who is generally smaller and has less muscle mass than her male counterpart. Arguments to retain separation of the sexes in athletics which are based upon this "fear of injury" are deluding for a number of reasons.

1. Even the New Jersey law, which treats contact and non-contact sports alike, does not require that a girl who wants to play soccer be placed on that team, regardless of her ability or her size. It simply requires that she be given the same opportunity as her male counterpart to try out for that team. Since it is unusual to find unskilled 100-pound boys on a varsity football team, it would be just as rare to find girls of similar description. The law requires that coaches continue to do what they have done for years: select team members on the basis of skill, size and weight factors where applicable, but *without regard to sex*.

2. Intramural and interscholastic athletics are voluntary in nature. Students are not required to participate. Consequently, students will generally choose those activities which appeal to them or in which they have developed skill.

3. Since safety is an important factor in sports, provisions should be made for various levels of ability, such as junior varsity and freshman teams, or for teams based on weight classes, as in wrestling and football (150 pound leagues). This provides opportunities for more students to participate in competitive athletics, regardless of size or sex, and reduces the possibilities of injuries resulting from mismatches in skill or size.

4. New Jersey Title VI requires that "the athletic program, including but not limited to intramural, extramural, and interscholastic sports shall be available on an equal basis to all students. . . and as a whole shall be planned to ensure that there are sufficient activities so that the program does not deny the participation of large numbers of students of either sex." If school personnel find that their female students are so far behind the males in skills that they are unable to compete with boys for spaces on the varsity team, the school should offer a separate team for girls. Similarly, Title IX requires the provision of a separate team if very few members of one sex have the skill sufficient to be selected for a unitary team. In this case, the provision of only one team does not, "accommodate the interests and abilities of members of both sexes."[20]

5. Since there is absolutely no difference in bone structure, reaction time, running speed, or muscle mass between boys and girls prior to puberty, except that girls may have a slight advantage in the years just before puberty because of earlier maturation patterns, co-educational junior high school teams are perfectly safe.[21]

6. Questions regarding the propriety of having boys and girls in direct physical contact, as in wrestling, have been raised. In terms of interscholastic teams, parental support may be assumed when a student tries out for and makes a wrestling team, since appropriate medical forms and parent waivers are signed before the season begins. Even though these waivers afford no legal protection, they ensure parental knowledge and consent. Parents concerned about the propriety of heterosexual wrestling (or same-sex wrestling) will obviously not permit their child to participate. New Jersey schools which provide only one wrestling team, limited to boys, must now permit girls to try out for that team or provide a comparable girl's wrestling team or another comparable sport in the same season.

PART II
INTERSCHOLASTIC PROGRAMS

Affirmative Action for the Female Athlete

Affirmative action requires that schools do more than ensure neutrality. As the phrase implies, affirmative action means the school personnel will make additional efforts to recruit, promote, employ, and develop programs for members of groups formerly excluded, such as the female coach and athlete, *even if that exclusion cannot be traced to any particular discriminatory actions on the part of the employer.*

It is important to realize that violations of Title IX may occur in the absence of a specific intent to deny equal opportunities. An apparently neutral practice can have an adverse impact on members of one sex. In selecting a director of physical education, a district may require previous coaching experience. Certainly such a criterion appears to be sex-neutral. This criterion would have a negative impact on women, however, if opportunities for them to coach had been denied or limited in the past.

The premise of the affirmative action concept in New Jersey is that unless positive action in an area such as interscholastic athletics is undertaken to overcome the cumulative effects of exclusion and discrimination, benign neutrality will just perpetuate the *status quo* indefinitely.

What is Discrimination in Athletics Programs?

According to Title IX, neither equal aggregate nor equal per capita expenditures for males and females are required. However, the inadequacy of funds allocated for one sex may serve as evidence of the denial of equal opportunity to members of that sex.

The Title IX Manual, which provides compliance procedures for the Office for Civil Rights, suggests that HEW staff conducting compliance reviews collect the following data:[22]

1. For each school, list by sport and level (i.e. intramural, varsity, junior varsity) the number of teams engaged in competition, including the number of:
   a. all-male teams and number of members on a team;
   b. all-female teams and number of members on a team;
   c. mixed teams (how many males and females are on each team).
2. A list of the number of competitive events each of the teams has scheduled.
3. A list of the coaches, by name and sex, for each of the above teams.
4. The salaries each of the above receives for coaching.
5. Total amount of practice time each team is allotted and a description of the practice facilities and specific time periods allotted each team for their use.
6. Facility or facilities used by each team for competition and its scheduled (date, time) use of these facilities.
7. Provisions made for transporting each team to competitive events away from home, including the events away from home in which each team participates, where each team plays, mode or modes of transportation used by each team, and per diem allowance, if any, for each team.
8. Copies of rules or by-laws of any interscholastic athletic association or league in which the recipient or the teams participate.
9. Copies of any publicity furnished to media about sports events or about individual team members during the past year.
10. Inspect and describe the extent to which the training, practice, locker room and shower facilities available to members of each sex are comparable.
11. Inspect and describe the extent to which equipment and uniforms provided members of each sex are comparable.
12. Ask coaches and team members what differences they perceive in provisions made for competition by males and females.
13. Do cheerleaders and the pep band perform at both boys' and girls' competitive events? Are there pep rallies for both?
14. Interview athletic directors, coaches, physical education teachers, and students (particularly student athletes) to determine to what extent they think the interests and abilities of members of both sexes have been effectively accommodated.
15. Find out what means a recipient employs to evaluate the extent to which it is effectively accommodating the interests and abilities of members of both sexes.
16. Where members of both sexes do not currently have equal opportunity in a recipient's athletic program:
    a. what steps are being taken to provide equal opportunity?
    b. what are the barriers to their immediate implementation?

The above list is a good guide for school district personnel to use in checking out their own practices. Obviously, it is the total program, not just one activity, that will be evaluated when athletics programs are reviewed.

A frequent concern regarding affirmative action in athletics is the question of reverse discrimination. What happens to those boys who don't have a field hockey team to play on? Is it fair to prohibit a qualified boy from trying out for the girls' team? The guidelines above provide the data needed for an answer. If the school provides fewer opportunities for girls, and if the displacement of girls on the few allotted spots would compound the already discriminatory

profile, then depriving a qualified boy of competition on the girls' teams is not discriminatory.

By the same token, the fact that there has been no tennis team for female students does not automatically mean that they must be allowed to try out for the "male" tennis team. They must be permitted to try out for it, however, if overall opportunities to participate in competitive athletics (not just tennis) have previously been more limited for females than for males. Again, equity in athletics programs will be judged by investigating the total program, not by examining only one team or a single situation.

A second issue involved in athletic affirmative action is whether teams should be "separate but equal" or "co-ed." Although Title VI allows for *separate*, single sex teams, as long as the boys' and girls' teams are substantially equal in terms of staff salaries, equipment, facilities, and scheduling, many educators feel that separate can never be truly equal. On the other hand, because of past discriminatory practices, sometimes female athletics faculty want to maintain separate (but equal) programs. These women fear that the establishment of an integrated department will result in their losing whatever power they now have because that department will ultimately be controlled by a male chairperson, and because the men in control will hire other men, thereby diminishing further the places open to women coaches.

Such fears arise from misinformation about the law, as well as from the experiences of years of discrimination. Help can be provided by in-service training programs in sex role awareness, in the legal implications of the new laws, and in proper implementation of affirmative action procedures. In this area, employers must prove that the coaches hired are the most qualified among all applicants. The Office for Civil Rights requires that "Policies, Procedures, and Criteria for selection should be in writing. The dissemination and application of such policies, etc., may not have a differential effect on the opportunities for selection and advancement of members of either sex." (From a letter from Agnes K. Parker, Title IX Coordinator, Region II, Office for Civil Rights, New York). Records must be kept of all applicants; jobs must be posted; and job vacancies must be properly advertised. Criteria for employment cannot be based upon qualifications that are not directly related to job performance. For example, requiring a candidate to have been a member of a collegiate team in basketball to qualify as basketball coach might be viewed as illegal, since women were never given the same opportunity as men for such participation.

Organizational Patterns for Equity in Interscholastic Athletics

Should there be separate sex teams, unitary teams (one team with both sexes), or a combination thereof? There are three possible options:

1. Integration of the entire program so that all teams will be unitary (open to both sexes).

2. Separate but equal teams coordinated in interscholastic competition through a joint scoring and scheduling system.

3. A combined approach in which both separate sex and unitary teams exist in some fairly equal mix in each season.

Unitary Teams

Some groups, such as the Pennsylvania NOW Sports Task Force, make a strong stand for immediate and total integration using unitary teams, because they believe the present sports structure which emphasizes differences between the sexes can never be truly equitable.

> For example, those sports in which boys are encouraged to participate for the most part—football and basketball—accentuate the need for physical height and weight. Those sports in which girls are encouraged to participate—gymnastics and swimming—emphasize the need for grace and agility. The girls' picture is changing more rapidly than the boys' picture. More girls are being encouraged to take basketball and baseball. Boys are still not in any numbers going into gymnastics, etc. In fact, we have a system that favors a certain kind of boy who is abnormal in every dimension—he either has to be taller, heavier, or more combative than average.[23]

The negative side of an all-unitary interscholastic athletics program is that, at present, girls are unable to qualify in large numbers for most such teams. Until remedial programs designed to emphasize those areas in which girls have received the least training are put into effect, girls would probably gain few places on most teams and would thereby lose most of the opportunities for participation they now have under the single sex approach. The Office for Civil Rights has anticipated this possibility, and its Title IX Manual cautions its compliance personnel as follows:

> A recipient may operate unitary teams (i.e., teams composed of members of both sexes) for which selection is based upon competitive skill only if, in doing so, the interests and abilities of members of both sexes are effectively accommodated. In other words, where a school decides that anyone, regardless of sex, may try out for a team, and there is substantial interest on the part of females in that sport, but very few members of that sex have skill sufficient to be selected, the sponsorship of the unitary team would not be sufficient to meet the interests and abilities of both sexes.[24]

Separate but Equal Teams

The second option, separate but equal teams, would mean that in each school system a reassessment of the athletic goals and policies must occur so that equity in expenditures, game time, practice, equipment, and all other areas would be effected within a reasonable period of time. The immediate problem concerning equity is how to make the athletics budget, most of which has been devoted to one sex's teams, stretch to support two sets of teams in an equitable manner without a severe loss of funds and teams for males. One answer is the adoption of the Olympic scoring method in which separate teams

compete against those of their sex, but do it together; in this system, both male and female team scores are combined to determine the winning school in any interscholastic competition. A detailed plan for such a system is proposed by Twin Cities NOW in "High School Athletics: A Strategy for Equality."[25]

In team sports both teams would have the same set of coaches and same practice time. The two teams would play the same schedule of games. In basketball, for example, the girls' game would replace the junior varsity game, while in baseball the girls' game might be on a different field at the same time.

In individual sports, in addition to the single coaching staff, practice and competition schedule, there would also be only one team. Again, in actual competition one would compete against one's own sex, with girls' and boys' events either alternating or occurring concurrently. The winning team would be determined by totalling the points won by all the members, male and female.

Not only would this arrangement result in equity in scheduling, coaching, and equipment; it would also result in monetary savings in coaching salaries, maintenance and staffing of practice facilities, transportation, officials, and, finally, opening and staffing of game facilities.

A Combined Approach: Male, Female and Co-educational

A combined approach in which male, female, and co-educational teams are offered provides the best features of the unitary and separate team approaches because it overcomes the major defects of each of these organizational patterns: in the former, not enough participation for girls; and in the latter, total separation of the sexes. This plan allows for as many students as possible to participate, for some integration of the sexes (where it can be done equitably and profitably), and for some separation of the sexes (where it will benefit participation of both sexes). Although many schools claim to have a combined approach, most have labelled their programs incorrectly because of failure to understand this concept.

The combined approach would mean that substantially equal programs of separate sex and integrated sex teams would be offered in both the same and in some different sports in every season. Figure 1 (below) shows a possible model. There are 17 teams of-

FIGURE 1
MODEL ATHLETIC PROGRAM FOR 1978-1988

			Separate Teams	
FALL:	*Sport*	*Coed*	*Girls*	*Boys*
	Football (JV & V)			XX
	Field Hockey (JV & V)		XX	
	Soccer (JV & V)		XX	XX
	Cross-Country	X		
	Gymnastics (JV & V)		XX	XX
	Crew	X		
	Tennis		X	
	Volleyball	X		
TOTAL		**3**	**7**	**6**
WINTER:	Basketball (JV & V)		XX	XX
	Track and Field		X	X
	Wrestling (JV & V)		XX	XX
	Swimming		X	X
	Fencing	X		
	Bowling	X		
	Weight Lifting	X		
	Ice Hockey (JV & V)	XX		
TOTAL		**5**	**6**	**6**
SPRING:	Rifle	X		
	Baseball (JV & V)			XX
	Softball (JV & V)		XX	
	Track & Field		X	X
	Golf	X		
	Tennis			X
	Lacrosse		X	X
	Archery	X		
TOTAL		**3**	**4**	**5**
TOTAL ALL SPORTS		**11**	**17**	**17**

fered for boys, 17 teams offered for girls, and 11 co-ed teams, divided equitably among the three seasons, fall, winter, and spring, so that in each season students may choose among co-ed, girls' or boys' teams, each of which has an equal share of equipment, salaries, facilities, scheduling, game times.

If a school district were to adopt such a combined program to attain equity, it would set the following goals:

1. Accelerated introduction of female teams and co-ed teams to move toward equity for girls. All new sports introduced would be co-educational.
2. Along with the increased numbers of sports for girls, the district would provide increased practice time, equipment, and coaching for these teams to arrive at an equitable relationship with male teams.
3. The development of a program to seek out qualified women coaches for open positions on male, female, or co-ed teams.

The probable outcome of such a program would be: first, a greater range of options produced by the introduction of new sports, such as fencing, bowling, archery, offered on a co-ed basis. Second, an increase in the number, variety, and competitive levels of girls' teams. Third, a relative (not necessarily absolute) decrease in emphasis on boys' teams as the boys' teams are required to share funds, coaches, equipment, practice times, attention, publicity, facilities with the new girls' and co-ed teams.

The first step toward the above goals is to make a total assessment of the existing interscholastic athletics program which may currently be labelled a combined approach, but which probably perpetuates past inequities. For example, contrast the model athletic program (on p. 9) with the actual program of a large suburban high school (Figure 2, below). It is obvious that the actual program, though presented as providing equality through a combined approach, is inadequate.

First, examining all levels of competition — varsity, junior varsity, and freshman — in Figure 2, no freshman teams are available to girls in any sport, while four are available to boys. Clearly, the girls need freshman programs to compensate for discrimination which limited their earlier opportunities and training. Also obvious are the disparities between the numbers of teams offered for girls and boys (8 vs. 17)

FIGURE 2

INTERSCHOLASTIC ATHLETICS PROGRAM
in a
SAMPLE SUBURBAN NEW JERSEY DISTRICT

	Sport	*Coed*	*Girls*	*Boys*
FALL:	Football (V, JV, S, F,)			XXXX (31)*
	Gymnastics		X (11)	
	Cross Country	X (17)		
	Field Hockey (V, JV)		XX (28)	
	Tennis		X (14)	
	Soccer (V, JV)			XX (30)
TOTAL - FALL		**1 (17)**	**4 (53)**	**6 (61)**
WINTER:	Basketball (V, JV, F)		XX (31)	XXX (51)
	Wrestling (V, JV, F)			XXX (41)
	Track	X (8)		
TOTAL - WINTER		**1 (8)**	**2 (31)**	**6 (92)**
SPRING:	Softball		X (15)	
	Baseball (V, JV, F)			XXX (60)
	Tennis			X (15)
	Golf	X (18)		
	Track		X (15)	X (14)
TOTAL-SPRING		**1 (18)**	**2 (30)**	**5 (89)**
TOTAL ALL SPORTS		**3 (43)**	**8(114)**	**17(242)**

*In parentheses are the number of contests for each sport.

and between the number of contests (114 vs. 242). Such disparities are dramatic in the winter and spring seasons during which the boys have three times as many teams and contests as the girls have.

While the total number of co-educational contests in Figure 2 is forty-three (still a small number in comparison to single sex contests), this is not really an accurate portrayal since many of the co-ed sports have only male participants. Often those athletics activities which rank lowest in status, as measured by budget and spectator support, are "opened to girls" and labelled co-ed.

Charts such as this are useful tools for athletics directors who want to determine if a balance of offerings is provided to both sexes in their schools. Such charts are employed by government enforcement agencies when they assess the aggregate athletics program. The survey of existing athletics programs will help determine where inequities may exist. Appendix B provides guidelines for such a survey, and Appendix C contains sample instruments which can be used to gather data needed to formulate affirmative action plans in athletics.

New Approaches to Problem Areas

Facilities

Changes in the program will require resourcefulness. In order to provide an optimum use of facilities in all seasons, fall sports would not only include the obvious outdoor activities, like hockey and football, but also indoor activities, such as gymnastics and volleyball. Maximum use would be made of non-school facilities, such as open areas for cross-country and waterways for crew. The winter season, in which most athletics are inside, would require the searching out of community facilities like ice rinks and bowling alleys, as well as a greater sharing and tighter scheduling of indoor school facilities. In the spring the baseball and softball fields would be more heavily used, but so would the open fields where archery and riflery can occur.

Financing

Financing is, of course, a chronic problem made even more difficult by the demands for equal opportunity. Again, innovative thinking is necessary to find the most painless places to make cuts. Sometimes less expensive equipment or uniforms can be purchased without sacrificing safety standards. Often, some teams have unreasonably low ratios of coaches to players. Savings can be effected by reducing the number of coaches for these teams. Care can be taken that new sports introduced are those in which equipment is already available or can be purchased at low cost.

One caveat here is that the school, in its efforts to economize, must not accept provisions from outside groups unless they are provided for both sexes. It is tempting to accept the local civic group's offer to carpet the boy's locker room. Acceptance, however, involves the school district in a discriminatory arrangement. The booster club's offer to underwrite freshman sports when they are threatened by budget problems is very generous. If, as in Figure 2, however, these teams are all-male or largely-male, such arrangements are discriminatory. Likewise, community and private facilities should not be used unless their organizational policies are free of discrimination.

Selection of Sports and Levels

Decisions involving which sports to introduce each year will certainly depend upon finding other schools with similar teams in easy proximity. Discussions with other athletics directors should be conducted very early in the process of selecting new co-ed and girls' sports in order to assure a full schedule of contests. This selection should be based upon a systematic survey of student interest. Such a survey should list all sports presently offered and all those contemplated. It should be distributed to and collected from all students to assure that those programs offered are those of greatest interest.

Coaches for New Teams

A survey should also be conducted of all faculty in the district, not just in the secondary schools. Questions should elicit information on hobbies, avocations, and previous intercollegiate, varsity, or intramural experience. Then, rather than simply waiting for staff to respond to job postings, an intensive staff development effort could be introduced to identify, recruit, and train personnel as needed.

The Combined Approach for the Near Future

The best solution at present is to work toward the combined model, allowing for separate but equal teams in traditionally major individual sports and team sports. Minor sports and individual sports which have not yet established different sets of rules for boys and girls would be completely sex-integrated. New sports which are developed or added to the program would be sex-integrated from the onset. For example, if a school has never offered ice hockey but decides to add it to its offerings, then it should be advertised as open to both sexes. Leagues and conferences should be developed which accommodate sex-integrated teams in these new sports.

At the end of 5-10 years, each district and the profession as a whole should be able to re-evaluate all sex-segregated sports to see if there is any real justification for continuing segregation. Perhaps it will be discovered that too few females are ready to compete with males in some areas of athletics. Perhaps the evaluation will show that women can compete on an equal basis and that all barriers in sports for women should be eliminated. While we cannot yet resolve these long-range questions, it is clear that the objectives of equality and integration within the physical limits of the two sexes would be promoted by the careful application of the combined male/female/co-ed approach.

PART III
INTRAMURALS AND CLUB ACTIVITIES

The intramural program should be entirely co-educational. Managers, advisors, protest boards, and officials should include representatives of both sexes. In administering the intramural program, certain sound educational principles must be kept in mind:

1. Since *inclusion* rather than exclusion is the basic principle in intramurals, opportunities for participation for everyone should be provided, regardless of skill level, grade point average, sex, size, and economic background. Participation beyond the actual playing of the game (managing, officiating, timing or scoring, keeping up-to-date records of points, publicity) can be provided to include those with a broad range of abilities and interests. Providing opportunities for students in the administration of the program is important.
2. The program must be voluntary.
3. Care must be taken that rivalries between teams or activities don't become so exaggerated that undesirable attitudes result, such as "win at all cost," or "kill, hurt, maim." This points up the necessity for responsible professional leadership.

The difficulties in obtaining large numbers of faculty advisors, who are not involved in coaching an interscholastic team but have some basic training in the activity, are familiar problems to most athletics directors. The additional problems of sharing facilities equitably and providing after-school pay for advisors has resulted in the demise of many intramural programs. For a more detailed discussion of staffing athletics programs, see the section called "Staffing and Salaries" in Part IV.

Point Systems and Awards

Most intramural programs use point systems to determine team standings. Many also award points for participation* to individual participants. A record is kept for each student, indicating the accumulation of points to determine awards at the close of the year. Awards banquets, athletic picnics, pep club activities, and the actual awards themselves should be the same for both sexes, and should be based upon participation factors, not simply skill or win-loss records. The place for rewarding exceptional skill on a selection basis is in the interscholastic program, not in intramurals.

Scheduling

If the intramural program is co-educational, with all activities encouraging participation by both sexes (for example, boys in dance, girls in weight lifting), scheduling problems are greatly reduced. It is no longer a question of which *sex* gets the larger facility or best time slot. It may still be a question of which *activity* gets preferential treatment, but this can be determined by student interest, as evidenced by the number of participants who sign up or stay with the activity.

Surely, the social and emotional goals of recreational, voluntary programs are best served with a co-ed arrangement.

Types of Activities

The variety and quantity of intramural and club activities will be determined by facility availability and community interest. Matthew C. Resick in *Modern Administrative Practices in Physical Education and Athletics* suggests some types of programs:[26]

1. ***Team sports*** continue to be the most popular activities at the secondary level and also fit nicely into tournament frameworks. Further, their rules can often be modified to promote co-educational participation and better facility use. For example, floor hockey rules can allow for varying degrees of body contact, according to the skill level of the players. Basketball can be played half court, so that more games can be played simultaneously in the same facility.
2. ***Individual sports*** also lend themselves to tournaments, although limited facilities are often a problem. Tennis courts can handle only so many players at a time. Sometimes municipal and county facilities can be used for golf, tennis, bowling, swimming, badminton, jogging, and even street hockey or cross country skiing. Unfortunately, these facilities are tightly scheduled by the interscholastic programs which are usually given scheduling preference over club activities. The increasing recognition that individual sports have greater carry over value than team sports because people can continue them throughout their adult lives may promote a greater emphasis on individual activities in the intramural program.
3. ***Meets***, such as swim meets or track and field

*In recent years many girls' athletic programs have continued to follow this procedure, even as they have evolved into interscholastic programs rather than strictly intramural offerings. There are many who argue that this philosophy of rewarding participation is healthier and more democratic than rewarding the elite who reach the level of "varsity club." It is clear, however, that public education can no longer foster programs that provide different awards on the basis of sex.

meets, are usually "one shot" affairs. They may involve only participants from a particular school, or may be set up as play days or sports days with several schools. Such meets provide an opportunity for a more formalized co-educational type of competition.

4. *Interest clubs* are often organized for activities which are less competitive in nature, such as dance, weight-lifting, skiing, scuba diving, bicycling. Because many of these activities do not require a large space or high ceiling, they do not have to compete for the gymnasium facility.

5. *Special activities*, such as parents' nights when students invite either or both parents to participate with them, are an excellent adjunct to the intramural program. By involving the parents and other family members, the community becomes familiar with the facilities and the program, and will become promoters of the program.

The many advantages of intramural activity, especially in terms of co-ed, integrated programming, are important to note and make such a program worth developing. They are:

1. Less expensive than interscholastic programs, because no transportation costs, uniforms, and officials' fees are needed.

2. Extremely adaptable to the interests of the students, promote opportunities for co-educational recreation, and have more potential carryover into adult life.

3. A means of involving large portions of the school population, regardless of ability level, socio-economic background, or sex.

Intramural programs, however, do not carry the status of interscholastic sports, nor are they sufficient for the superior athlete, who needs the challenge of higher levels of competition and more rigorous training and coaching. In the past, many educators felt that intramural programs were best for girls, while boys required the greater challenge of varsity programs. Today, it is generally recognized that both sexes need the opportunity for both levels of athletics, not only for the educational value, but also because changes in the law and social conscience based upon concepts of fair play demand it.

PART IV
PROGRAM ADMINISTRATION

Staffing and Salaries

Obtaining well-trained, experienced coaches who are also educators is a difficult job which often rests with the athletic director alone, but should be shared jointly with the board of education and administration. Schools do not have to recruit men to coach male teams or women to coach female teams. But there is a need to train and recruit more women coaches generally. Some help might be provided by the publication, "Guide to Recruiting Minorities and Women as Teachers, Counselors and Administrators."[27]

As women's programs in athletics multiply, there is increasing demand for coaches and advisors. One of the limitations in hiring adjunct staff is that in many states all coaches must be certified teachers employed by the school district full-time, even if they know nothing about coaching, or have never taken a single course in athletic training or injuries. In contrast, Pennsylvania has eased the burden of recruiting coaches in recent years by changing their law to allow for the hiring of outside personnel who are not full-time employees of the school district, but who meet certain minimum requirements:

1. Have satisfactorily completed a program of study for certification approved under regulations of the State Board of Education in which the following competencies were developed:

   a) First Aid, care, and prevention of athletic injuries, and rehabilitation following injury.

   b) Knowledge of the impact of sport upon the behavior of the athlete and his or her relationship with the culture and society.

   c) Theory and techniques necessary to coach a sport or sports at the interscholastic level.

   d) Anatomical and mechanical principles of sports skills.

   e) Scientific principles as applied to strength, muscular and cardio-vascular endurance in training and conditioning for sports.

2. Shall perform duties consistent with a documented statement of need submitted by the board of school directors for the approval of the Secretary of Education.

Because this Pennsylvania regulation "provides school districts an opportunity to employ coaches to conduct programs suitable to the needs and interests of children," it allows for part-time personnel in the interscholastic program. However, school districts are required to follow a procedure in assigning part-time coaches:

1. Survey the full-time professional staff to determine if any of them desire to fill the coaching position.
2. Conduct a community-wide search for certified teachers who have completed a program as described in the regulations.
3. When no certified person is available in the community, only then can an appropriate person who has satisfactorily completed the program as described above be hired.
4. Obtain written approval of the Secretary of Education before employment.[28]

Most proposals regarding the certification of coaches include the elements suggested above. Most proposals also suggest that physical education majors be accredited to coach all sports, with a battery of courses made available as a coaching minor to teachers in other disciplines.[29] These proposals have an added benefit because they discourage the common school practice of recruitment of academic personnel on the basis of coaching skills. Sometimes the most highly qualified math teacher cannot be hired because she or he lacks the requisite coaching ability.

Although the concepts of equal pay for equal work are publicly embraced by most educators, there remain some in physical education who still feel that male coaches should get more pay than their female colleagues or that coaches of male teams should be paid more than coaches of female teams. Agnes R. Parker, Title IX Coordinator, Office for Civil Rights (N.Y.) stated (in an unpublished letter):

> *Salaries for the same or comparable jobs and same or comparable responsibilities must be equal for men and women* [emphasis hers]. Specific criteria for determining salaries for each job classification and within each job classification should be known to all present and potential coaches (employees).

It is important to remember that even though female coaches and male coaches of female teams may not ask for pay raises, or demonstrate for equity in treatment, benefits, and pay, it is the legal and moral responsibility of each school administration to ensure equality. Many different criteria can be placed into the formula to generate extra-curricular salaries, so long as the formula is known and has no discriminating criteria based upon sex or race. Please note that if the number of games, etc., is limited for girls because of discrimination in scheduling facilities or budget, or by regulation of a league or association, such illegal discrimination is not a valid basis for setting lower salaries for girls' coaches. Some possible criteria are:

a. number of games
b. practice time
c. number of trips
d. number of participants

e. years of experience
f. number of assistants
g. tournaments
h. total student contact hours
i. scouting time
j. responsibility

The Office for Civil Rights does not consider "pressure" an acceptable criterion because it is too susceptible to subjective judgment. It is suggested that a relationship of coaching pay to basic salary be maintained, because of the present inflationary economy, and the fact that teachers' salary raises have increased at a greater rate than has "extra duty pay." An index has been developed in some schools which reflects the time spent in the activity as a ratio of the basic salary schedule.[30] Collingswood (N.J.) High School has a policy governing pay increases in their Extra Duty Pay Program which is predicated on the percent increase of the beginning teacher's salary set through negotiations. It is obvious that many schools either have no established formula, or employ formulas which use sex as a criterion. A look through "Extra Pay for Athletic Coaches in New Jersey School Districts,"[31] published yearly by the New Jersey Education Association (and free to members), shows page after page of separate and unequal listings for coaches of female teams.

Any preconceived notions about the appropriate sex of coaches for any particular team should be dispensed with. Coaches of either sex who are qualified should be found and hired for male, female, or co-ed teams. Further, coaching salaries should be reviewed to see if a pattern of discrimination is evident.

The Equal Pay provisions of the Fair Labor Standards Act require equal pay for jobs which are "substantially" similar in skill, effort, and responsibility, and which are performed under similar working conditions. Any salary differences based on the sport or team, rather than on the coach's qualifications, must be substantiated by objective measurable criteria.

The best, most equitable pay scale is one in which the criteria for differentiation are very few and based on such standards as the number of weeks in the season or the number of students supervised. Salary reviews by Wages and Hour personnel under the Equal Pay Act have resulted in the equalization of salaries of coaches of male and female teams and the development of pay systems that can be substantiated in objective terms.

Some predict that as pay increases for women coaches, men will take over their jobs in direct proportion to the salary increases. The number of men coaching female teams already outnumbers the number of women coaching male teams by a wide margin in most districts. Therefore, women must be recruited, trained, and certified, and above all, made to feel that coaching is a worthwhile activity where they not only belong, but share equally in status, publicity, and pay.

Publicity and Public Relations

Publicity is the "dissemination of information about individuals or groups in order to attract the public's attention to an event, an outstanding performance, or the development of a new idea."[32] Of all segments of education, athletics is unique in its relationship to publicity. Athletics thrives on publicity; it produces its own, encourages it, cooperates with it, and employs it as a way to engender interest. Publicity is a direct reflection of present positions and practices.

In the past, female athletes have been ignored, patronized, and even ridiculed by the press. It is important that school personnel demand fair coverage of girls' interscholastic events. In many communities, the sports staff of the local newspaper personally covers the boys' games while expecting students or coaches to "call in" the scores of the girls' games. Because colleges are now offering athletics scholarships for girls, and women's professional sports opportunities have multiplied enormously in recent years, some of the old arguments that men should get more attention because they make athletics their livelihood are no longer valid.

While publicity engenders interest, public relations is the sustaining of a good relationship with the press, radio, and television. In most areas public television channels have the capability of putting superior performers before the public eye, potential college recruiters, and professional scouts. Sports directors should be expected to put the female athlete in the limelight and to provide fair coverage of women's athletics events, without the cute remarks about the "pert blue-eyed blond center" or the "shapely shortstop" who still finds time to date, in spite of her busy sports schedule. Coaches of girls' teams should be given lists of media contacts, prepared box score outlines, opportunities to monitor student interviews for sexism, and a sense that they and their female charges are an integral part of the public relations team.

Representative photographs of female athletes, interviews, quotes from, and references to female athletes are among the tools of communication. Also included are: school publications, handbooks, manuals, letters, bulletins, posters, bulletin boards, meetings of the general public, conferences, closed circuit T.V., staged events, parades, pageants, banquets, contests, testimonials, awards, annual reports, forums, and seminars. Vigilance and awareness are needed to ensure that the tools of communication are used equitably to promote interest and provide rewards to both male and female athletes.

Some specific steps to improve press coverage are:

1. Send regular releases to local dailies and weeklies. It is important that the media keep in touch with your schedule on a week-to-week basis, not just at the beginning of the season when they receive the overall schedule.

2. Collect photographs of all athletes on the team. Make sure the press has them on file to maximize photographic coverage.

3. Compile and send out "notes"—2-3 pages of timeless tidbits that can be used as fillers. Sports desks are often grateful for such material.

4. Maintain a regular relationship with the local sports desks. Newspapers are much more likely to

include the details of the game if the call comes directly from the coach or athletic director on the assumption that such information is more detailed, accurate, and colorful.

Clearly the kind and degree of coverage received will be related to the sports editor's perception of the importance of the game. To enhance this perception, steps should be taken to maximize the size of the crowd. The establishment of traditional league rivalries, the provision of cheerleaders/band/pep club, a schedule of days and times that are convenient for spectators, the attendance of school principal and athletic director—all of these will attract a crowd and therefore encourage improved press coverage.

Every school library should subscribe to magazines and journals which are of interest to the female athlete, including *WomenSports* and *Sports Women*. Posters and display cases should provide equal attention to the female athlete. If there is still a lingering question regarding the level of interest in athletics by females, good public relations and publicity will overcome doubts. To compensate for past neglect, the female athlete possibly should receive more than half of the limelight until she catches up.

The best possible source of public relations lies in the female athletes themselves, many of whom are outstanding and well-spoken students. Let them represent themselves identified as athletes at PTA and back-to-school nights. Let the field hockey team wear its kilts the day of a big game, just as the football team wears its jerseys. Let's hear its scores announced in homeroom every morning, and its victories applauded in awards assemblies. In short, let female athletes be, as other athletes have been, respected and admired for the extra effort that is required to be the best they can be through athletics.

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APPENDIX A

STATE OF NEW JERSEY
Department of Education
State Board of Education

Equality in Educational Programs

6:4-1.1 Purposes and Objectives

The New Jersey Constitution and implementing legislation guarantee each child in the public schools equal educational opportunity regardless of race, color, creed, religion, sex, ancestry, national origin, or social or economic status. To assure these basic rights the Commissioner of Education and the State Board of Education have developed these regulations which specifically implement N.J.S.A. 18A:36-20 and the State Board of Education Resolution concerning sex equality in educational programs. These regulations have also been developed in conformity with relevant Federal and State statutes concerning discriminatory conduct.

6:4-1.2 Definitions

(a) "Discriminatory practices" shall mean an action or failure to act based upon race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

(b) "Educational activities and programs" shall mean all activities and programs conducted or sponsored by the school either during the school day or after regular school hours.

(c) "School" shall mean every public elementary or secondary school, every regional school, every county vocational school, or any other public institution providing special or general educational services to students from grades K through 12.

6:4-1.3 Policy Development

(a) Each local school district shall develop a policy of equal educational opportunity to be adopted as a resolution by the Board of Education. The school district shall inform the community it serves of this resolution by publicizing it in an adequate manner, including but not limited to the district's customary methods of information dissemination.

(b) Each local school district shall develop two affirmative action programs or plans, which shall include time-tables for corrective action to overcome the effects of any previous patterns of discrimination which may exist and a systematic internal monitoring procedure to ensure continuing compliance.

1. One such program or plan shall include, but need not be limited to, action as required by Section 5, School and Classroom Practices, of this Subchapter.

2. Another program or plan shall include, but need not be limited to, action as required by Section 6, Employment/Contract Practices, of this Subchapter.

3. Then programs or plans shall be made available for review to all interested parties.

(c) Each local school district shall designate a member of its professional staff as the affirmative action officer to coordinate and implement the district's efforts to comply. The progress of the district in complying shall be reported by the Superintendent to the Board of Education as it shall require.

(d) As part of its affirmative action programs or plans, each local school district shall arrange for or provide in-service training for school personnel on a continuing basis to identify and resolve problems arising from prejudice on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

(e) Each Board of Education shall adopt and approve courses of study, instructional materials, and programs designed to eliminate discrimination and promote understanding and mutual respect between children of different races, colors, creeds, religions, sexes, ancestries, national origins, or social or economic status. Community involvement in this process shall be encouraged.

(f) The local school district shall evaluate courses of study and instructional materials already in use or determine whether they are designed to achieve the objectives set forth in (e) and shall supplement them as necessary where they are not so designed. As the use of such courses and materials is discontinued in the normal course of events, the local school district shall replace them with courses and instructional materials designed to meet the objectives set forth in (e).

6:4-1.4 Technical Assistance

The Commissioner or designee shall provide technical assistance to local school districts for the development of policy guidelines, procedures, and in-service training for school personnel so as to aid in the elimination of prejudice on the basis of race, creed, color, religion, sex, ancestry, or social or economic status.

6:4-1.5 School and Classroom Practices

(a) No student shall be denied access to or benefit from any educational program or activity solely on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

(b) There shall be no differential requirements for completion of course offerings or courses of study solely on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

(c) There shall be no discrimination against students because of pregnancy, childbirth, pregnancy-related disabilities, actual or potential parenthood, or family or marital status. A student shall not be excluded from any educational program or activity because of pregnancy or related conditions unless she so requests or a physician certifies that such exclusion is necessary for her physical, mental, or emotional well-being. If she is excluded for these reasons, she must be provided with adequate and timely opportunity for instruction to continue or make up her schoolwork without prejudice or penalty.

(d) Public school students shall not be segregated on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

(e) No course offering, including but not limited to physical education, health, industrial arts, business, vocational or technical courses, home economics, music, and adult education, shall be limited on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

(f) The athletic program, including but not limited to intramural, extramural, and inter-scholastic sports shall be available on an equal basis to all students regardless of race, color, creed, religion, sex, ancestry, national origin, or social or economic status. The athletic program as a whole shall be planned to insure that there are sufficient activities so that the program does not deny the participation of large numbers of students of either sex.

1. The activities comprising such athletic program shall receive equitable treatment, including but not limited to staff salaries, purchase and maintenance of equipment, quality and availability of facilities, scheduling of practice and game time, length of season and all other related areas or matters.

2. A school may choose to operate separate teams for the two sexes in one or more sports and/or single teams open competitively to members of both sexes, so long as the athletic program as a whole provides equal opportunities for students of both sexes to participate in sports at comparable levels of difficulty and competency.

(g) School personnel shall not use tests, procedures or other guidance and counselling materials which are differentiated or stereotyped on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

When informing students about possible career, professional and/or vocational opportunities, school personnel shall in no way restrict or limit the options presented to students on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

6:4-1.6 Employment/Contract Practices

(a) All persons regardless of race, color, creed, religion, sex, or national origin shall have equal access to all categories of employment in the public educational system of New Jersey.

(b) All New Jersey public school districts shall comply with all State and Federal laws related to equal employment, including but not limited to the New Jersey Law Against Discrimination (N.J.S.A. 10:5-1 *et seq*), Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, Executive Order 11246 as amended, Equal Pay Act of 1963 as amended, and Title IX of the Education Amendments of 1972 (Higher Education Act).

(c) No school district shall enter into any contract with a person, agency, or organization if it has knowledge that such person, agency, or organization discriminates on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status, either in employment practices or in the provision of benefits or services to students or employees.

6:4-1.7 Compliance

(a) Each school district shall submit to the Commissioner of Education or designee a copy of its Resolution of Equal Educational Opportunity (See Section 3 (a) of this Chapter) and the name of its affirmative action officer (See Section 3 (c) of this Chapter) within 60 days of the effective date of these regulations.

(b) Each school district shall, within 120 days of the effective date of these regulations, submit its proposed program or plan of affirmative action for School and Classroom Practices (See Section 3 (b) of this Chapter).

(c) Each school district shall, within 180 days of the effective date of these regulations, submit its proposed program or plan of affirmative action for Employment/Contract Practices (See Section 3 (b) of this Chapter).

(d) The Commissioner or designee shall review the programs or plans, approve or reject said plans and shall notify the school system of his decision within 60 days of receipt of the plans.

(e) If the plan is in any way unacceptable, the Commissioner shall designate a person or persons to work with the school district to develop an acceptable plan, which must be completed and approved within 60 days of the receipt of the notice that the original plan was unacceptable.

(f) The plan must be initiated within a time period not to exceed 120 days from the time of its approval and must be fully implemented in accord with an approved time-table.

(g) If within one year of the effective date of the affirmative action plan a school district is still found not to be in compliance with these regulations or its plan was not implemented, the Commissioner may initiate, with the approval of the State Board of Education, action to suspend, terminate or refuse to award continued Federal or State financial assistance. The Commissioner may also make referral to any appro-

priate judicial and/or administrative Federal, State or local agencies.

6:4-1.8 State Review and Evaluation

(a) At least once every three years the Commissioner or designee shall review and evaluate the progress of each school district in implementing its affirmative action plan. If sufficient appropriations exist, the Commissioner may utilize the services of qualified independent consultants to effectuate the review and evaluation. The Commissioner shall provide each local school district with a copy of such analysis.

(b) The Board of Education of each local school district shall make available to the community a summary of the review and evaluation in accordance with the procedures adopted pursuant to N.J.A.C. 6:4-1.2 (a).

(c) Any and all inadequacies in the program plan as revealed in the review and evaluation shall be corrected as soon as is practicable, but in no case shall correction of the plan be delayed more than 60 days from receipt of notice of inadequacy or noncompliance. If such inadequacy is not corrected in the specified time, it shall result in the procedure described in 6:4-1.7 (g).

6:4-1.9 Appeals

In accordance with N.J.S.A. 18A:6-9, any individual may petition the Commissioner of Education to resolve a dispute arising under these regulations pursuant to procedures set forth in N.J.A.C. 6:24-1.1 *et seq.*

6:4-1.10 Effect of Related Statutes

The obligation to comply with these regulations is not obviated or alleviated by any State or local law or rule or regulation of any organization, club, athletic or other league or association which would limit the eligibility or participation of any student on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

An order adopting these rules was filed and effective May 20, 1975, as R. 1975 d, 137.

This notice is published as a matter of public information.

For further information, contact Mrs. Nida E. Thomas, Director, Office of Equal Educational Opportunity, State Department of Education, 225 West State Street, Trenton, N.J. 08625. (Phone 609/292-5922)

APPENDIX B

EVALUATION OF ATHLETICS PROGRAMS

Use the instrument in Appendix C-1. Fill out one copy for each team (NOT JUST ONE FOR EACH SPORT; if there are six separate basketball teams, there should be six forms for basketball).

A. Review and compare Nos. 2-6. Develop summary sheet indicating:

1. Number of teams open to _____boys; _____girls; _____both.
2. Number of teams which include only _____boys; _____girls; _____both.
3. Number of boys participating in _____intramurals
   _____extramurals
4. Number of girls participating in _____intramurals
   _____extramurals

If a significant imbalance is found in either the number of teams available to girls or in the number of girls participating in the program, do the following:

1. Increase the number of teams for girls, making sure to consider other levels and skills in addition to varsity.
2. Increase the number of single teams open competitively to members of both sexes. Displacement of female athletes on previously all-female teams will not be permitted as long as *total* athletic oppurtunities are fewer for girls.
3. Add sports such as archery, badminton, basketball, bowling, cross country, field hockey, golf, gymnastics, skating, soccer, softball, swimming, table tennis, tennis, track and field, and volleyball to the program. A committee of athletic coaches will establish dialogue with other districts to coordinate a schedule of sports offered.
4. Encourage development of integrated teams on a league and conference basis.
5. All intramurals will be coed or co-sexual with rules modified to accommodate skill differences.
6. Review recruitment/notification procedures and techniques used to motivate students to aspire for team membership. If it is found that procedures are not effective in encouraging participation of girls, revise accordingly. (Publicity given to teams by school and local press is often inequitable as are the awards/banquets provided for female athletes as compared to male athletes.) Changes in these areas often result in an increase in female participation.
7. Send qualified female personnel to clinics for coaching training. Women coaches provide role models; this often has the effect of encouraging female participation.

B. Review and compare Nos. 7-15. Develop summary sheet comparing boys and girls teams:

	Boys	*Girls*
Total number of coaches	____	____
Ratio of coaches to participants	____	____
Total coaches' salaries	____	____
Season offered	____	____
Number of matches, meets	____	____
Total amount budgeted (not including salaries)	____	____
Ratio of total amount budgeted above to participants	____	____

Also compare practice times, game times and facilities used by girls and boys for each team. (A specific instrument for comparing facilities is in Appendix C). If a significant imbalance is found, modify arrangements to promote equitable treatment.

APPENDIX C

C-1: ATHLETIC TEAMS

1. Date _____

2. Team _____

3. Type: Interscholastic _____
   Intramural (within the school) _____
   Extramural (play day, sports day, informal meets with other districts) _____

4. Level: Varsity _____
   Junior Varsity _____
   Freshman _____
   Other _____
   _____ *(Identify)*

5. Eligibility: Open to girls only _____
   Open to boys only _____
   Open to both _____

6. No. of participants: _____ Boys _____ Girls

7. No. of coaches assigned: _____ Males _____ Females

8. Total of these coaches' salaries _____

9. Season offered _____

10. Practice time and place _____

11. Game time and place _____

12. Number of matches, meets _____

13. Total amount budgeted NOT including coaches salaries _____

14. Identify facility used (in which building, field, etc.) _____

15. COMMENTS on other matters including equipment available, its purchase and maintenance; uniforms; travel arrangements; publicity; medical/training services _____

_____

(Use other side)

Date: _____

C-2: ATHLETIC FACILITIES:

	Boys	Girls	Neither
Trainer			
Training Room			
Whirlpool			
Field House			
locker rooms			
showers			
Other			

Outdoor Facilities:

1. Number of fields on school property (specify if special purpose field, i.e., hockey, soccer, cross country):

_____

_____

_____

2. Specify field facilities on other public property:

_____

_____

3. Specify field facilities on private or club property:
   Are there sexual restrictions on these properties? _____

Indoor Facilities:

1. Total Number of full-sized gyms: _____
2. Number of auxiliary indoor facilities: _____

   Describe: _____

_____

3. Do you have an athletic director's office_____ Accessible to: boys_____ girls_____
   visiting team room_____ Accessible to: boys_____ girls_____
   officials room _____ Accessible to: boys_____ girls_____

SPECIAL PURPOSE FACILITIES:

Sport	School Property	Other Public Property	Private or Club Property
1. Tennis	No. of Courts:	No. of Courts:	No. of Courts: Any sex restriction?
2. Swimming Pool			Any sex restriction?
3. Golf			Any sex restriction?
4. Ice Hockey			Any sex restriction?
5. Other			Any sex restriction?